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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4405/2004

RAM SWAROOP

VS.

THE ADDITIONAL DISTRICT JUDGE NO.1, KISHANGARHBAS,
ALWAR & ANR.

DATE: 27.08.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. R.K. Mathur for the plaintiff-petitioner.
Mr. Ashok Gaur for the respondents.

This writ petition is directed against the order dated 11.05.2004 passed by the Additional District & Sessions Judge No.2, Kishangarhbas, Alwar, whereby the application dated 12.02.2004 moved by the petitioner-plaintiff has been rejected, by which the petitioner made a request that thumb impression put on the agreement in question be examined by the Finger Print Expert, which has been refused by the Court below, against which this writ petition.

Having heard rival submissions of the respective parties and upon careful perusal of the order impugned dated 11.05.2004 passed by the Court below, I find no illegality or error apparent on the

[2]

face of the record which requires any interference by this Court while exercising extraordinary jurisdiction under Article 227 of the Constitution of India.

However, as observed by the trial Court, after leading evidence, if any case is made out by which finger print made on the agreement in question is required to be examined by the Finger Print Expert, then the petitioner can move fresh application to this effect and after giving opportunity of being heard to the parties, the trial Court shall pass appropriate order at appropriate stage. But, in any case, at this stage, no case of any interference is made out.

Consequently, the writ petition fails and the same is hereby dismissed.

The ex parte interim order dated 23.07.2004 granted by this Court is rejected. The stay application also stands rejected.

(K.S. RATHORE),J.

/KKC/